

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 11/20/01

AGENDA ITEM 7

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Zone Change Application No. 01-120-02 and Tentative Map Tract 7262 – Abdul Mahdavi (Applicant/Owner) - Request to Rezone from Single-Family Residential (RS) to Planned Development (PD) and to Subdivide a 1.3± Acre Parcel into 8 Single-Family Parcels – The Property is Located at 25958 Gading Road, South of Huntwood Avenue

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council adopt the Negative Declaration, and approve the Zone Change and Tentative Map.

DISCUSSION:

On October 11, 2001, the Planning Commission (5:0) recommended approval of the project to create eight parcels for homes and private yard spaces and one parcel that encompasses the street and common areas, which are primarily the front and much of the side yards of the homes and a group open space area. The 1.3± acre site is located on the east side of Gading Road, between Huntwood Avenue and Dumont Street, in the Harder-Tennyson Neighborhood. The property is currently accessed via a private driveway between single- and multi-family residences, so the project site is not readily visible from Gading Road. Surrounding properties are a mixture of single- and multi-family developments. A use permit was approved to construct a church on the parcel to the north; however, due to lack of funding the project was not constructed and the use permit expired.

As a result of the 1989 approval of the Harder-Tennyson Neighborhood Plan, much of the neighborhood retained the General Plan Map designation of "*Medium Density Residential*" to recognize the established character of the area. However, parcels without multi-family development were rezoned to *Single-Family Residential (RS) District* to promote new single-family development, and a strategy was adopted that states,

Permit no new multi-family development in the study area and encourage the city to recognize the problems created by excessive concentrations of multi-family rental housing in any neighborhood of the city and to promote the dispersal of such housing throughout the city.

The General Policies Plan Map designation for the site, *Medium Density Residential (MDR)*, allows for a maximum density of 8.7-17.4 dwelling units per acre, or 11 to 22 units for this parcel.

The proposal, with 8 units, will have a density of 6.7 dwelling units per acre. The General Plan Map designation of MDR does not preclude consideration of other than RS zoning, such as RSB4 and PD.

The existing zoning designation of RS requires a minimum lot size of 5,000 square feet per dwelling. Given the size of the property at 1.3 acres, the amount of gross area that would be enjoyed by each of the 8 proposed dwellings is 7,078.5 square feet. The proposed lot lines run about the houses and around the rear yards, resulting in "lots" ranging in size from about 2,800 to 3,376 square feet. The relatively small lot sizes are due to much of the actual front and side yards being within "common" space. If the lot lines were extended in the traditional fashion to include front and side yards, the lot sizes would range from approximately 4,350 square feet to 5,700 square feet. Whether the lot sizes, in fact, are 2,800 square feet or 4,350 square feet, they would function the same and visually there would be no difference. In addition, there is a group open space area of about 1,900 square feet at the eastern edge of the property. Because the configuration of the property is not conducive to development under RS standards, a Planned Development is proposed. Although typical front and rear yard setback requirements are not met, the shortages are compensated for by wider side yards and a group open space area.

The Planning Commission found that the proposed setbacks from adjacent properties are adequate. The homes are set back 20 feet setback from the rear property line contiguous with the adjacent single-family residential area. To the north, the 10- to 11±- foot "rear" yard setbacks are adjacent to a proposed church driveway and parking lot; and the 10- to 19±-foot rear yard setbacks from the southern property line are adjacent to a gravel parking area serving one- and two-story apartment buildings that are set back an additional 20 feet.

There are three separate designs for the two-story homes, which are of a contemporary design. The designs are consistent with the City's Design Guidelines for single-family residences in that the second floors are smaller in area than the first floors, different wall heights have been used for opposite sides of the buildings, and architectural features have been enhanced on all elevations. The "Sunset" model has four bedrooms within a 2,550 square-foot floor plan, the "Broadway" plan has five bedrooms with in a 2,609 floor plan, and the Rose model has five bedrooms within a 2,354 square-foot floor plan.

During the hearing, some of the Planning Commissioner expressed concern about the adequacy of the width of the access driveway off Gading to serve the project. A condition of approval requires a 24-foot-wide private street, which can be accommodated within the access driveway but may entail minor pruning of some of the bushes that line the driveway. The owner of a single-family dwelling located to the west and immediately adjacent to the project site spoke in support of the development, indicating that earlier development proposals were for multi-family development.

According to Hayward Unified School District staff, the homes can be expected to generate fewer than three students district-wide of which fewer than two would be at the elementary level. The students from this development can be accommodated by Glassbrook Elementary (Kindergarten through 3rd grade), Tyrell Elementary (4th through 6th grades), Martin Luther King Middle School (7th and 8th grades) and Tennyson High School.

CONCLUSION:

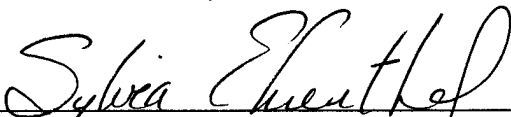
The Planning Commission found the project to be consistent with the Harder-Tennyson Neighborhood Plan and the adopted land use policies of the General Policies Plan. These policies encourage single-family development, the preservation of the single-family residential character and opportunities for home ownership.

Prepared by:




Arlynn J. Camire, AICP
Associate Planner

Recommended by:



Sylvia Ehrental
Director of Community and Economic Development

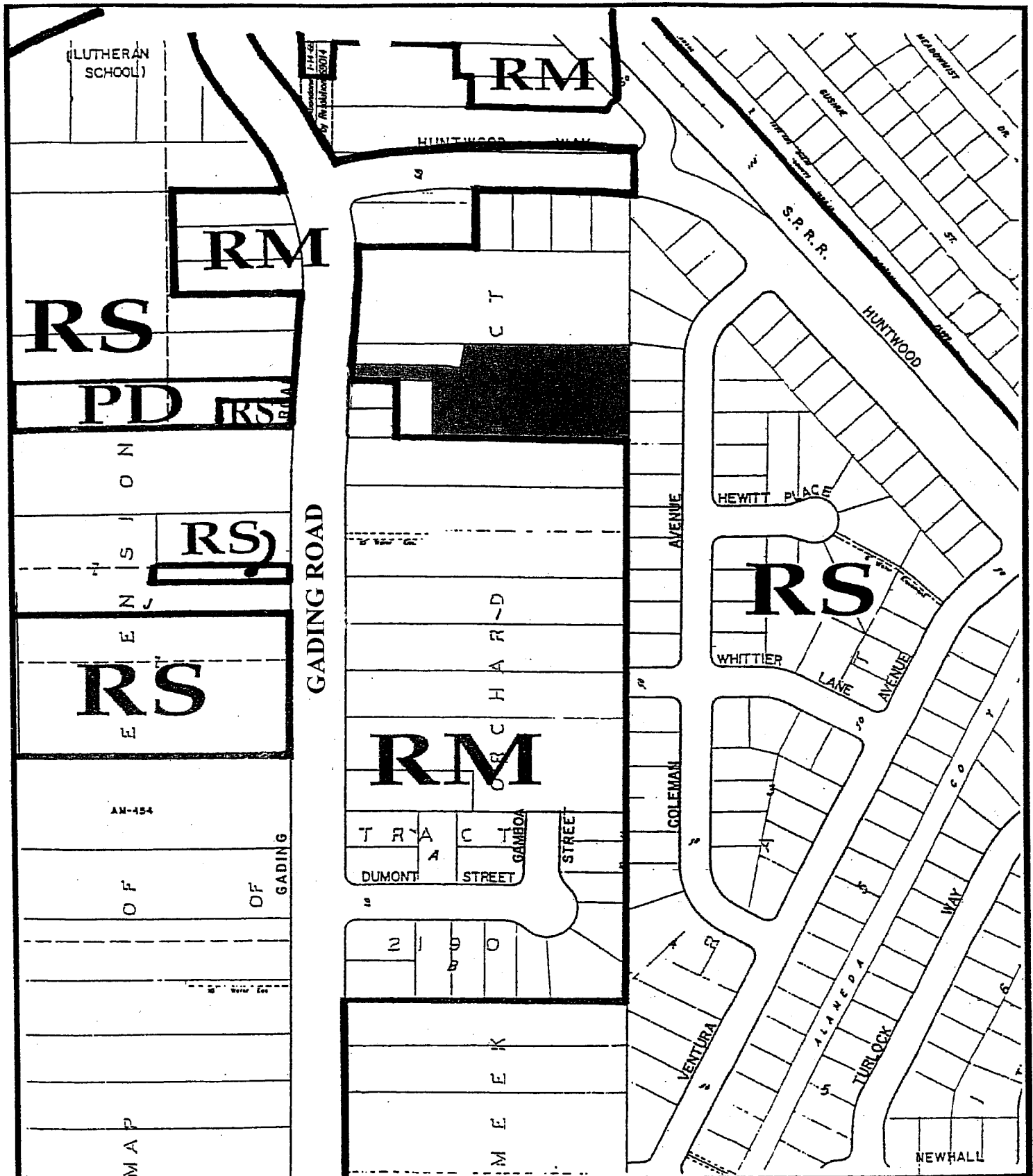
Approved by:



Jesús Armas, City Manager

Exhibits: A. Area Map
 B. Findings and Conditions of Approval
 C. Draft Planning Commission Meeting Minutes and Staff Report, dated
 October 11, 2001
 Draft Resolutions
 Planned Development Plans
 Tentative Map Tract 7262

11/15/01



Area Map
 25958 Gading Road
 Applicant/Owner: Abdul Mahdavi

RS Single-Family Residential District
 RM Medium Density Residential District
 PD Planned Development District

FINDINGS OF APPROVAL**PLANNED DEVELOPMENT APPLICATION NO. No. 01-120-02
25958 Gading Road**

- A. The proposed project will not have a significant effect on the environment. A Negative Declaration has been prepared pursuant to the California Environmental Quality Act.
- B. The development is in substantial harmony with the surrounding area and conforms to the General Plan, the Harder-Tennyson Neighborhood Plan and applicable City policies by providing housing opportunities and enhancing neighborhood quality.
- C. Existing and proposed streets and utilities will be adequate to serve the development.
- D. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.
- E. The exceptions to the standard minimum front and rear yard setbacks required by the Single-Family Residential District development standards are compensated for by the generous side yards and group open space area.

CONDITIONS OF APPROVAL
Planned Development Application No. 01-120-02 and Preliminary Plan
Abdul Mahdavi (Applicant/Owner)
25958 Gading Road

1. The proposed improvements shall be constructed and installed according to the plans labeled Exhibit "A", except as required to be modified by these conditions of approval. This approval is void two years after the effective date of approval unless a building permit application has been submitted and accepted for processing by the Building Official. Any modifications to the approved plans or conditions shall require prior review and approval from the Planning Director.
2. Prior to final inspection/occupancy, all improvements and conditions of approval shall be completed to the satisfaction of the Planning Director.
3. The final map shall be filed and approved by the City and in the County Records Office prior to the issuance of a certificate of occupancy of any home with the exception of those homes used as models.
4. Prior to the sale of any house, the applicant shall create a Homeowners Association and shall record the CC&R's. The CC&R's shall be subject to the review and approval of the City Attorney prior to recordation. The Homeowner Association shall be responsible for implementing all storm water measures and the maintenance of all private driveway, private utilities, and other common areas and facilities on the site, including all landscaping.
5. The garage of each unit shall be maintained for off-street parking and shall not be converted to living area or storage. This requirement shall be incorporated into the project's CC&R's.
6. Project residents shall not use open parking spaces. Spaces shall be marked as "visitor only". Vehicles parked contrary to this provision shall be removed by the project homeowners association. This requirement shall be reflected in the CC&Rs of the homeowner association.
7. Utility meters shall be located at the sides of the residences and shall be screened by plant material or other approved material and shall provide sufficient distance for reader access.
8. Mechanical equipment, such as air conditioners, shall be prohibited on the roof of any building.

9. The homeowners association shall maintain in good repair all streets, parking surfaces, common area and front yard landscaping and irrigation, street lighting, drainage improvements and masonry wall. Any graffiti painted on the wall shall be painted out or removed within seven days of occurrence. The fence shall be treated with a graffiti sealant.
10. Colors and material samples for all exteriors shall be submitted for approval by the Planning Director. Any future changes in color shall be approved by the Homeowners Association.
11. Prior to the sale of any individual unit, or prior to the acceptance of tract improvements, whichever first occurs, a homeowners' association shall be created to maintain the common area landscaping, open space amenities, driveways and the private street. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover the costs of replacement and repair.
12. Any appropriate historical artifacts unearthed on the site in connection with the construction of the proposed project shall be offered to the Hayward Area Historical Society at no charge.
13. If any human remains are found during grading or construction, all work will be stopped and police called to investigate.
14. Upon application for a building permit, show elevations of top of curb, pavement and grade breaks; show location of water services and sewer laterals with a minimum separation of 6 feet; show water meters a minimum of 2 feet clear of top of driveway flare.

Landscaping Conditions:

15. Prior to issuance of a building permit, detailed landscape plans; irrigation plans and specifications shall be prepared by a licensed landscape architect and submitted for review and approval by the City. The City Landscape Architect and City Engineer must approve landscape plans. Mylar originals of the approved landscape plans shall be stamped approved and signed off by the City Landscape Architect and City Engineer. Approved original mylars shall be left on file with the Department of Public Works.
16. Construction Administration services shall be provided by the project Landscape Architect. Services to include:
 - a. Observation of irrigation system before burying pipes.
 - b. Observation of plant material upon delivery to site.

- c. Observation of layout and placement of plant material at time of planting and completion of placement of soil mix.
 - d. Observation for Maintenance Period Commencement.
- 17. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance. A Certificate of Substantial Completion and Irrigation Schedule shall be submitted by the project landscape architect prior to approval of occupancy of any units.
- 18. Submit a Landscape Water Use Statement.
- 19. Planting and irrigation plans for common areas shall be submitted for review and approval by the City. The following requirements shall apply:
 - a. The irrigation system shall include an automatic controller;
 - b. Front and side street yards shall be limited to a maximum of 50 percent fescue turf;
 - c. A hose bib shall be provided in the front and rear yard of each unit.
- 20. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of the first dwelling unit, whichever occurs first.
- 21. Landscaping shall be maintained in a healthy, weed-free condition at all times. Plants shall be replaced when necessary. Required street, and buffer trees that are severely topped or pruned shall be replaced immediately, as determined by the City Landscape Architect.
- 22. Park Dedication In-Lieu Fees are required for each new dwelling unit. Fees shall be those in effect at the time of issuance of the building permit.
- 23. Landscaped areas adjoining drives and/or parking areas shall be separated by a 6-inch high class "B" Portland Cement concrete curb.
- 24. The public right-of-way on Gading Road shall be landscaped. This shall be included on the landscape plan.

Fire Department Conditions:

- 25. The private street shall be red-curbed and posted with fire lane signage on both sides of the street including the firetruck turnaround located between Lots 6 and 7.

26. The plans shall show a new fire hydrant located in front of Lot 7. The fire flow for this development shall be a minimum of 1,500 gallons per minute at 20 P.S.I. Type of fire hydrant shall be modified steamer (2- 4 ½" outlets and 1 - 2½" outlet). A blue reflective pavement marker shall be installed on the street adjacent to the fire hydrant location.
27. Each building shall have an address installed so as to be visible from the street. Minimum address shall be 4-inches or 6-inches, self-illuminated is acceptable.
28. Smoke detectors shall be installed per the California Building Code.
29. An approved spark arrestor shall be installed on each chimney.

Utilities

30. Provide calculations to show proposed water mains and adequate to supply required fire flows.
31. Show all proposed water meters and fire hydrants on plans.
32. Remote read water meters shall be installed as per City of Hayward Utility standards.
33. Please add the following notes to plans:
 - a. The property owner shall provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal Code 11-2.02.1.
 - b. Operation of valves on the Hayward Water System shall be performed by City of Hayward Water Distribution Personnel Only.
 - c. Water and Sewer service shall be made available subject to standard conditions and fees in effect at time of application for service.
34. The water main shall be designed as a looped system. A 10-foot-wide water main easement shall be established for any portions of the main that extend outside of the City's street right-of-way or public utility easement.

Architecture & Site Planning

35. The setback from the garage to the private street shall not exceed 19 feet.
36. The mailboxes for all units shall be located in a central location. A decorative shelter shall be provided to the satisfaction of the Post Master. The Planning Director shall approve the design.

Solid Waste

37. Adequate storage space for garbage/recycling contains shall be provided in each unit and shall be accessible for collection. Size and location shall be designed to the satisfaction of the City of Hayward Solid Waste Manager.
38. The Applicant must submit for review by Solid Waste Program staff a Construction and Demolition Debris Recycling Statement at the time that a building permit is issued.

Construction Activities

39. The developer shall provide the Planning Director with the name and telephone number of the developer or the developer's representative who may be contacted during the construction phase regarding neighborhood complaints or concerns.
40. All construction and demolition debris waste shall be recycled. Applicant is required to submit a Construction and Demolition Debris Recycling Statement and Summary Report.
41. The applicant shall submit a construction Best Management Practice (BMP) program for review and approval by the City prior to the issuance of any building permits. The general contractor and all subcontractors and suppliers of material and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. The applicant is responsible for ensuring that all contractors are aware of all storm water quality measures and ensure that measures are implemented. Failure to comply with the approved construction BMP's will result in the issuance of correction notices, citations or a project stop work order.
42. The project plans shall include storm water measures for the operation and maintenance of the project for the review and approval of the City Engineer. The project plans shall identify BMP's appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff facilities. The project plan shall also include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion & Sediment Control Handbook.
43. Construction activities shall be limited to the hours of 7:30 AM to 6:00 PM on weekdays only; there shall be no construction activities on the weekend or National holidays.
44. Construction equipment shall be properly muffled, and unnecessary idling shall be prohibited.
45. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units.

FINDINGS FOR APPROVAL
TENTATIVE TRACT MAP 7262

1. An initial study and negative declaration have been prepared and have determined that the approval of Tentative Map Tract 7215, as conditioned, will have no significant impact on the environment, cumulative or otherwise.
2. The tentative parcel map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Policies Plan, and the City of Hayward Zoning Ordinance.
3. The site is relatively flat, with stable soils and safe access and is therefore physically suitable for the proposed type of development.
4. The design of the subdivision and the proposed improvements are **not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as the site is currently within an urban area that is not near fish or wildlife or their habitat.
5. The design of the subdivision and the proposed improvements are **not** likely to cause serious health problems as there are no hazardous materials on the site and the proposed project is residential and will not generate any harmful substances.
6. Existing streets and utilities are adequate to serve the project.
7. None of the findings set forth in Section 64474 of the Subdivision Map Act¹ have been made.

¹ The findings of Section 64474 set forth the grounds for denial of a tentative map which are as follows:

- (a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property with the proposed subdivision.

**CONDITIONS OF APPROVAL
TENTATIVE TRACT MAP 7262**

As Modified by the Planning Commission on October 11, 2001

Unless otherwise stated, all necessary easements shall be dedicated, and all improvements shall be designed and installed at no cost to the City of Hayward.

All improvements shall be designed and constructed in accordance with the City of Hayward Municipal Code – Chapter 10, Article 3, and Standard Specifications and Details – unless otherwise indicated hereinafter.

The applicant/developer's engineer shall perform all design work unless otherwise indicated.

PRIOR TO THE RECORDATION OF THE FINAL MAP

IMPROVEMENTS

Improvement plans shall be submitted to the City Engineer for review and approval. Subject plans shall, in addition to the standard improvements, incorporate the following special design requirements:

Interior Private Street

1. The private street shall be a minimum of 25-feet-wide, 24 feet curb-to-curb, and shall be constructed to public street standards. The street must remain unobstructed for vehicular ingress and egress. *Appropriate "No Parking" signage and/or striping shall be placed on both sides of the private street.* Any gates, humps or other similar improvements must be approved by the Fire Marshall and the Planning Director.
2. The curbs of the private street shall be painted red and fire lane signage shall be installed on both sides of the street, including the emergency turnaround located between Lots 6 and 7.
3. Upon approval of the City Engineer, the existing driveway approach can be used. If it is determined a that the driveway needs to be replaced it the new driveway shall be a minimum 24-feet-wide and designed to meet City of Hayward Standard SD-110 (six-foot-flares).
4. The onsite streetlights and pedestrian lighting shall have a decorative design approved by the Director of Community and Economic Development/Planning Director and the City Engineer.

Storm Drainage

5. The subdivision storm drain system shall be a private system owned and maintained by the homeowners association.
6. The Hydrology and Hydraulics Criteria Summary, Alameda County Flood Control and Water Conservation District, latest edition shall be used to determine storm drainage runoff. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be approved by the City Engineer.
7. The project plans shall include storm water measures for the operation and maintenance of the project to be approved by the City Engineer. The project plan shall identify Best Management Practices (BMPs) appropriate to the uses conducted onsite to effectively prevent the entry of pollutants into storm water runoff.
8. The project plan measures shall also include erosion control measures to prevent soil, dirt, debris and contaminated materials from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.
9. The applicant/developer is responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.
10. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all the areas tributary to the project area. The developer is required to mitigate augmented runoffs with off-site and/or on-site improvements.
11. All storm drain inlets must be labeled "No Dumping - Drains to Bay" using City approved methods.

Sanitary Sewer System

12. Sanitary sewer service is available subject to standard conditions and fees in effect at the time of application.
13. The on-site sanitary sewer system shall be a public 8-inch main ending with a manhole, designed in accordance with the City of Hayward standard details.
14. Each unit shall have a separate sanitary sewer lateral.

Water System

15. Water service is available subject to standard conditions and fees in effect at the time of application.
16. The water main shall have a looped system design. Any easement necessary to accommodate the looped design shall be acquired by the owner at the owner's expense. The water main design and the easement size and location shall be approved by the City Engineer.
17. The water service shall include a multiple meter manifold designed per City of Hayward Standard Detail SD-219. The manifold location shall be approved by the City Engineer.
18. Each unit shall be individually metered. The developer shall install individual radio read water meters.
19. A fire hydrant shall be installed in front of Lot 7.

Utilities

20. All service to dwellings shall be an "underground service" designed and installed in accordance with the Pacific Gas and Electric Company, AT&T Company and TCI Company regulations, including transformers.
21. All proposed surface-mounted hardware (fire hydrants, electroliers, etc.) along the proposed private street shall be located outside of the sidewalk within the 6-foot-wide Public Utility Easement in accordance with the requirements of the City Engineer or, where applicable, the Fire Chief.
22. All utilities shall be designed in accordance with the requirements of the City of Hayward and applicable public agency standards.

Landscaping and Irrigation

23. Prior to the approval of the improvement plans a detailed landscaping and irrigation plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the City's Landscape Architect. Planting and irrigation shall comply with the City's *Water Efficient Landscape Ordinance*.
24. Construct Class B Portland Cement concrete curbs to a height of 6-inches above the finished pavement anywhere landscaped areas adjoin driveway and parking areas.

25. Landscape plans shall specify site amenities such as benches, tables, fencing, play equipment and barbecues for the common open space areas.
26. Within all required landscape areas, a complete automatic sprinkler system with an automatic on/off mechanism shall be installed. A hose bib shall be provided within each private terrace.

Walls and Trellises and Entry Features

27. All proposed retaining walls shall be constructed with decorative reinforced concrete.

Dedications, Easements and Property Lines

28. With the exception of the stem portion of the private street, the final map shall reflect the dedication of a six-foot-wide public utility easement (PUE) abutting both sides of the private street.
29. Easements shall be established wherever it is necessary to allow the Homeowners Association to maintain all areas outside of the building walls and private space areas.

Conditions, Covenants, and Restrictions

30. Prior to the sale of any individual unit, or prior to the acceptance of site improvements, whichever first occurs, a homeowners' association shall be created to maintain the private street, common area landscaping and open space amenities and CC&R's prepared for the project which shall be reviewed and approved by the Planning Director that shall include the following conditions:
 - a. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses.
 - b. A reserve fund shall be maintained to cover the costs of replacement and repair of the private street, common area landscaping and group open space amenities.
 - c. The association shall be managed and maintained by a professional property management company.
 - d. Provisions for towing unauthorized vehicles from the site

- e. A requirement that a Homeowners' Association Architectural Review Committee be established to review and approve all exterior improvements; including fences, walls or changes to individual homes to ensure consistency with the CC&Rs.
- f. The site shall be maintained in good repair, and free of debris at all times.
- g. A requirement that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of inspection or within 48 hours of notification by the City's community Preservation Officer.
- h. The homeowners' association shall maintain the irrigation system and maintain the landscaping in a healthy, weed-free condition at all times. The homeowner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within 10 days.
- i. Landscaping and irrigation shall be maintained in all common areas or the City shall have the right to enter upon the property to maintain the exterior portions of the common area at the expense of the homeowners association per Section 10-3.385 of the Subdivision Ordinance.
- j. A tree removal permit is required prior to the removal of any tree with a diameter of 10-inches or larger. Mitigation measures may be required as a condition of the tree removal permit.
- k. Trees shall not be severely pruned, topped, or pollarded and any trees that are pruned in this manner shall be replaced with a tree species selected by, and size determined by the Landscape Architect, within the timeframe established by the City and pursuant to the Municipal code.
- l. Each resident shall participate in the City's recycling program.

Subdivision Agreement

- 31. Execute a subdivision agreement and post bonds with the City that shall secure the construction of the public improvements per Section 10-3.332, Security for Installation of Improvements, of the Municipal Code. Insurance shall be provided per the terms of the subdivision agreement.

PRIOR TO CONSTRUCTION WITH COMBUSTIBLE MATERIALS

- 32. Required water system improvements shall be completed and operational prior to the start of combustible construction.

33. A minimum 24-foot-wide all-weather access road, engineered for 50,000 pound gross vehicle weight, shall be maintained for emergency vehicle access.

DURING CONSTRUCTION

34. The following control measures for construction noise, grading and construction activities shall be adhered to, unless otherwise approved by the Planning Director or City Engineer:

- a. Grading and construction activities shall be limited to the hours 8:00 AM to 6:00 PM on weekdays; there shall be no grading or construction activities on the weekend or national holidays;
- b. Grading and construction equipment shall be properly muffled;
- c. Unnecessary idling of grading and construction equipment is prohibited;
- d. Stationary noise-generating construction equipment, such as compressors, shall be located as far as practical from occupied residential housing units;
- e. Applicant/developer shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise;
- f. The developer shall participate in the City's recycling program during construction;
- g. Daily clean up of trash and debris shall occur on Gading Road;
- h. The site shall be watered twice daily during site grading and earth removal work, or at other times as may be needed to control dust emissions;
- i. All grading and earth removal work shall follow remediation plan requirements, if soil contamination is found to exist on the site;
- j. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- k. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;
- l. Apply (non-toxic) soil stabilizers or hydroseed to inactive construction areas (previously graded areas inactive for 10-days or more);

- m. Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- n. Gather all construction debris on a regular basis and place them in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water pollution;
- o. Remove all dirt, gravel, rubbish, refuse and green waste from the sidewalk, street pavement, and storm drain system adjoining the project site. During wet weather, avoid driving vehicles off paved areas and other outdoor work;
- p. Broom sweep the sidewalk and public street pavement adjoining the project site on a daily basis. Caked on mud or dirt shall be scraped from these areas before sweeping;
- q. No site grading shall occur during the rainy season, between October 15 and April 15, unless approved erosion control measures are in place.
- r. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site prior to: 1) start of the rainy season; 2) site dewatering activities; or 3) street washing activities; and 4) saw cutting asphalt or concrete, or in order to retain any debris or dirt flowing into the City storm drain system. Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Dispose of filter particles in the trash;
- s. Create a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential for being discharged to the storm drain system through being windblown or in the event of a material spill;
- t. Never clean machinery, tools, brushes, etc., or rinse containers into a street, gutter, storm drain or stream. See "*Building Maintenance/Remodeling*" flyer for more information;
- u. Ensure that concrete/gunite supply trucks or concrete/plasters finishing operations do not discharge washwater into street gutters or drains; and
- v. The applicant/developer shall immediately report any soil or water contamination noticed during construction to the City Fire Department Hazardous Materials Division, the Alameda County Department of Health and the Regional Water Quality Control Board.

35. A representative of the soils engineer shall be on the site during grading operations and shall perform such testing as deemed necessary by the City Engineer. The representative of the soils engineer shall observe grading operations with recommended corrective measures given to the contractor and the City Engineer.
36. The minimum soils sampling and testing frequency shall conform to Chapter 8 of the Caltrans Construction Manual. The subdivider shall require the soils engineer to daily submit all testing and sampling and reports to the City Engineer.

PRIOR TO CONNECTION OF UTILITIES AND ISSUANCE OF CERTIFICATES OF OCCUPANCY

37. The applicant/developer shall pay the following fees, the amount of the fee shall be in accordance with the fee schedule in effect at the time of issuance of the building permits;
 - a. Supplemental Building Construction and Improvement Tax;
 - b. School Tax; and
 - c. Park Dedication in-lieu fees for each unit.
 - d. Water Facilities Fee and Sewer Connection Fee for each dwelling unit at the rate in effect when the utility service permit for the dwelling unit is issued.
38. Any damaged curb, gutter and/or sidewalk along the Gading Road property frontage shall be repaired or replaced to the satisfaction of the City Engineer.
39. A reduced pressure backflow preventer shall be installed behind the water meter per City of Hayward Standard Detail 202.
40. Water services shall be installed by City crews at the developer's expense. The application for water services shall be presented to the City Inspector.
41. Prior to the City setting the water meters, the subdivider shall provide the Water Department with certified costs covering the installation of the public water mains and appurtenances.
42. All common area landscaping, irrigation and other required improvements shall be installed according to the approved plans.

43. The street light electroliers shall be in operating condition as approved by the City Engineer.

PRIOR TO CITY APPROVAL OF THE TRACT IMPROVEMENTS AS BEING COMPLETED

44. All tract improvements, including the complete installation of all improvements relative to streets, fencing, sanitary sewer, storm drainage, water system, underground utilities, etc., shall be completed and attested to by the City Engineer before approval of occupancy of any unit. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
45. All common area landscaping, irrigation and other required improvements shall be installed prior to acceptance of tract improvements, or occupancy of 80 percent of the dwelling units, whichever first occurs.
46. An AC overlay along the Gading Road street frontage may be required by the City Engineer, if it is determined that it is necessary due to deterioration resulting from heavy traffic during the construction.
47. The improvements associated with the Pacific Gas and Electric Company, AT&T Company and TCI Company shall be installed to the satisfaction of the respective companies.
48. The subdivider shall submit an "as built" plan indicating the following:
- a. All the underground facilities, sanitary sewer mains and laterals, water services (including meter locations), Pacific Gas and Electric, AT&T facilities, TCI, etc; and
 - b. All the site improvements, except landscaping species, buildings and appurtenant structures.

~~PF Trust (Applicant), Brian and Kimberly Purcell (Owners): Request to Reclassify the Site from Commercial Office (CO) District to a Planned Development (PD) District for the Purpose of Constructing Eight Townhouses. The Project is Located at 338 West Winton Avenue at the Northwest Corner of Alice Street~~
The item was continued until November 1, at the request of staff since there was not time enough to review the request.

5. ~~Planned Development No. 01-129-02 & Tentative Map Tract 7262 - Abdul Mahdavi~~
(Applicant/Owner): Request to Subdivide a 1.3± Acre Parcel into 8 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) District to PD (Planned Development) District. The Property is Located at 25958 Gading Road within the Harder-Tennyson Neighborhood

Associate Planner Camire made the staff report. She noted that each of the 8 homes on the site would have two-stories. The ninth lot will be a commons with open space. She noted that this proposal meets the guidelines for the Harder-Tennyson neighborhood. Staff recommends approval to Council subject to the findings and conditions.

Commissioner Zermeño asked about the Church adjacent to this property and whether there may be problems in the foreseeable future.

Associate Planner Camire indicated that the Church must build a masonry wall between the properties. She noted that they have already amended their project and would be resubmitting their application.

Commissioner Sacks stated that the driveway seems narrow. She was told it is 27-feet wide.

Chairperson Halliday asked about the conditions of approval for tentative tract map, #2. regarding improvement of the existing driveway. She was told the improvement would be to the quality of the pavement. The driveway is now used for access to the house.

Commissioner Sacks asked about the bushes encroaching on the driveway which makes it appear narrower.

Commissioner Zermeño asked whether they could propose "No Parking" at the entryway, inside the project.

Jose Cordero asked for nice fences to be built as well as the houses. He said he did not have a problem with the houses.

The general contractor for the project responded to further questions from the Commission. He said the homes would not be for sale. The family will live in all 8 homes.

The public hearing closed at 8:27 p.m.

Commissioner Sacks **moved**, seconded by Commissioner Zermeño, to approve recommending to Council all of the staff recommendations.

DRAFT

MINUTES



REGULAR MEETING OF THE PLANNING COMMISSION, CITY OF HAYWARD, Council Chambers

Thursday, October 11, 2001, 7:30 P.M.
777 "B" Street, Hayward, CA 94541

Commissioner Bogue commented that he agreed with the motion and with the neighbor. He noted that these were more in line with the Neighborhood Plan than an initial proposal for apartments. Although the area can handle more units, they are more concerned about the future.

Planning Manager Anderly explained that in this neighborhood plan, they counted medium density and rezoned this area to single-family. This parcel had 40-some apartments.

Commissioner Bogue added his thanks for a very well thought out project.

Commissioner Sacks commented that this is not unlike what is happening in older neighborhoods. It has been an on-going problem. She said she was happy to hear comments regarding the Neighborhood Plan.

Commissioner Caveglia asked what the projected price of the houses would be. He was told that they would not be sold outside the family.

Commissioner Zermeño commented on one other aspect of the project. These homes would be owned and not rented, adding to the homeownership stock for the City.

Chairperson Halliday said she would be supporting the motion. She had some initial concerns regarding the square footage of homes, as well as concerns that the driveway seems too narrow and crowded. She commented that this qualifies as in-fill development and is a very good alternative to the apartments.

The motion passed 5:0:2, with Commissioners Williams and Thnay absent.

~~ADDITIONAL MATTERS~~

~~6. Oral Report on Planning and Zoning Matters~~

~~Planning Manager Anderly discussed upcoming Commission meetings. She noted that there would be no more meetings in October, except for an up-coming Work Session with the City Council.~~

~~7. Commissioners' Announcements, Referrals~~

~~There were no announcements or referrals.~~

MINUTES

- September 6, 2001 - Passed
- September 20, 2001 - Held until the next meeting with the addition of the vote on Page 12.

DRAFT



CITY OF HAYWARD
AGENDA REPORT

Meeting Date 10/11/01
Agenda Item 5

TO: Planning Commission

FROM: Arlynn J. Camire, AICP, Associate Planner
Tim Koonze, Assistant Planner

SUBJECT: **Planned Development No. 01-120-02 & Tentative Map Tract 7262 – Abdul Mahdavi (Applicant/Owner):** Request to Subdivide a 1.3± Acre Parcel into 8 Single-Family Parcels and Change the Zoning from RS (Single-Family Residential) District to PD (Planned Development) District

The Property is Located at 25958 Gading Road within the Harder-Tennyson Neighborhood

RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the City Council to:

1. Adopt the Initial Study and Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines;
2. Approve of the zone change and the preliminary development plan subject to the attached findings and conditions; and
3. Approve of the Tentative Map Tract 7262 subject to the attached findings and conditions.

BACKGROUND:

The 1.3± acre flag-shaped parcel is located on the east side of Gading Road between Huntwood and Dumont Avenues, within the Harder-Tennyson Neighborhood. As a result of the 1989 approval of the Harder-Tennyson Neighborhood Plan, this area was rezoned from *Medium-Density Residential (RM) District to Single-Family Residential (RS) District* in order to maintain a predominantly single-family character.

The existing access to Gading Road is via a driveway within a 27-foot-wide, 145-foot-long, stem. This driveway also provides access for a single-story tri-plex and a single-family residence located on adjacent parcels. The buildable portion of the site is approximately 163 feet wide and 340 feet deep. There are no structures or significant trees on the site. The property is surrounded primarily by one-story single-family homes to the east with a mixture of single-family and multiple-family residential structures along the north and south property lines. AC Transit Route 77 on Gading Road provides access to both Hayward BART stations and the southerly portion of the Industrial Corridor.

Project Description

This proposal creates eight single-family homes on lots ranging from approximately 2,800 square feet to 3,300 square feet. All homes have two stories with a fenced private yard, a two-car garage, and a driveway that provide two additional off-street parking spaces. Five visitor parking spaces will be provided in two locations within the common area.

The developer will be required to landscape all areas of the project except the fenced, private open space. All common area landscaping and front yard landscaping will be maintained by a homeowners' association. A 6-foot high wood fence will be constructed along the perimeter of the site except along the driveway stem, which provides access to existing development. The perimeter fencing shall be owned and maintained by the homeowners association.

Architecture

There are three separate home designs. The plans meet the design guideline requirements for single-family residences in that the second floors are smaller in area than the first floors, different wall heights have been used for opposite sides of the buildings, and architectural features have been enhanced on all elevations. The Sunset model has four bedrooms within a 2,550 square-foot floor plan, the Broadway plan has five bedrooms with in a 2,609 floor plan, and the Rose model has five bedrooms within a 2,354 square-foot floor plan.

Planned Development/Preliminary Development Plan

The RS District requires a minimum lot size of 5,000 square-feet. The proposal has lots ranging in size from 2,800± square feet to 3,376 square feet. The General Policies Plan designation for the site is *Medium Density Residential* (MDR), which allows for a maximum density of 8.7- 17.4 dwelling units per acre or 11 to 22 units for this parcel. The proposal, with 8 units, will have a density of 6.7 dwelling units per acre.

The zone change from *Single-Family Residential* (RS) *District* to *Planned-Development* (PD) *District* is a procedural means to allow this detached, single-family townhouse development where the property under the units, including the garages and private open space, is owned by the owner of the unit. The townhouse parcels do not meet the minimum lot size of 5,000 square feet required by the RS District. All other requirements of the RS District, including density, are met by this project.

The project respects the adjoining property owners by meeting the exterior perimeter setbacks required of single-family or multi-family projects. The project site has 20-foot-rear yard setbacks and 10-foot side yard setbacks. The proposed 23-foot building heights are below the maximum height limit of 30 feet.

Conformance to the Neighborhood Plan

The project is consistent with all policies of the Harder-Tennyson Neighborhood Plan specifically those regarding housing opportunities and neighborhood appearance.

- Policy 1: Requires preserving existing single-family areas and promoting new single-family development;
- Policy 3: Requires the provision of more opportunities for ownership housing in the study area; and
- Policy 12: Calls for the improvement of the general appearance of the neighborhood.

Tract Map and Utilities

The proposed subdivision creates eight single-family parcels and one common area parcel. The single-family parcels will be individually owned, while the eight property owners will jointly own the common parcel. The formation of a Homeowners Association and the creation of Conditions, Covenants and Restrictions (CC&R's) will be required to cover the maintenance of the private streets, perimeter fencing, common area landscaping and open space amenities. The common area includes all areas except the private rear yards and the buildings.

There are existing utilities within Gading Road to adequately serve the proposed project. A looped water main design is required for this project. The applicant will be responsible for acquiring the necessary easements to create this looped system.

ENVIRONMENTAL REVIEW:

The proposed project will not have a significant effect on the environment. An Initial Study and Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines.

PUBLIC NOTICE:

On March 5, 2001 a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Harder-Tennyson Neighborhood Plan Task Force members. The Referral Notice provided an opportunity for persons to comment on the project. Staff did not receive any inquiries. On March 15, 2001, staff held a preliminary meeting with neighbors from the area and other City departments. There were no significant concerns with the proposal.

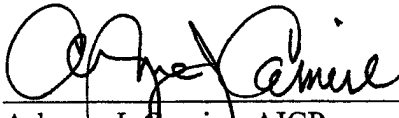
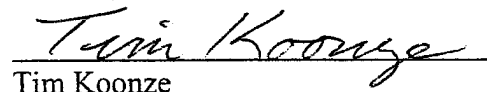
On September 21, 2001 a Notice of preparation of a Negative Declaration and Public Hearing for the Planning Commission meeting was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the Harder-Tennyson Neighborhood Plan Task Force members. In addition, a public notice sign was

placed at the site two weeks prior to the Public Hearing to help notify neighbors residing outside the 300-foot radius. A public hearing notice was also published in the Daily Review.

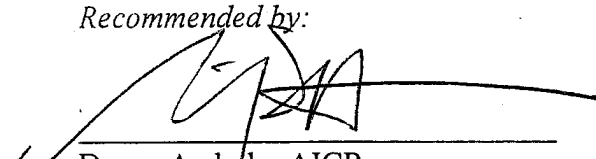
CONCLUSION:

The proposed project is consistent with adopted land use policies of the General Polices Plan and the Harder-Tennyson Neighborhood Plan. Both encourage single-family housing in this neighborhood and opportunities for home ownership.

Prepared by:


Arlynn J. Camire, AICP
Associate Planner
Tim Koonze
Assistant Planner

Recommended by:


for Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area & Zoning Map
 - B. Findings for Approval for Planned Development/Preliminary Plan
 - C. Conditions for Approval for Planned Development/Preliminary Plan
 - D. Findings for Approval for Tentative Map Tract 7262
 - E. Conditions for Approval for Tentative Map Tract 7262
 - F. Initial Study and Negative Declaration
- Plans and Tentative Map Tract 7262



CITY OF HAYWARD NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION:

Planned Development No. 01-120-02 & Tentative Map Tract 7262 -: Request to subdivide a 1.3± acre parcel into 8 single-family parcels and change the zoning from RS (Single-Family Residential) to PD (Planned Development) District. The project is located at 25958 Gading Road, east side of Gading Road, south of Huntwood Avenue and north of Dumont Avenues

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project could not have a significant effect on the environment.

FINDINGS SUPPORTING DECLARATION:

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources.
3. The project will not have an adverse effect on agricultural land since it will be developed on property that was once part of a parcel developed with a single-family home within an urban setting.
4. The project will not result in significant impacts related to changes into air quality since any impacts would be temporary occurring during the construction phase. The measures taken to mitigate impacts are required to meet the State air quality standards specified in the Clean Air Plan adopted by the Bay Area Quality Management District. In addition the City requires the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any building permit.
5. The project will not result in significant impacts to biological resources such as wildlife and wetlands since it will be developed on a lot that was developed with a single-family home within an urban setting.

6. The project will not result in a significant impacts to cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains because the project will be developed a lot that was once part of a parcel that was developed with a single-family home within an urban setting.
7. The project site is not located within a "State of California Earthquake Fault Zone." Construction related to this project will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.
8. The project will not lead to the exposure of people to hazardous materials. The lot was once part of a lot developed with a single-family home located in a residential neighborhood within an urban setting.
9. The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.
10. The project is consistent with the policies of the City General Policies Plan, the General Plan Map designation of High Density Residential, the Zoning Ordinance and the Harder-Tennyson Neighborhood Plan.
11. The project could not result in a significant impact to mineral resources since the site is developed with single-family home and mineral resources do not exist on the project site.
12. The project will not have a noise impact and all interior noise standards as specified in the Noise Element of the General Policies Plan will be met.
13. The project will introduce 8 single-family homes into an area where growth is desirable and anticipated by the General Policies Plan. The zoning designation is Single-family Residential District and the General Plan Map land use designation for the site is Medium Density Residential. Both permit the site to be developed with 8 single-family homes. Displacement of residents will not occur.
14. The project will not result in a significant impact to public services. School fees will be paid prior to the issuance of a building permit.
15. The project has adequate open space, the payment of Park Dedication fees is required prior to the issuance of a building permit.
16. The project will not result in significant impacts to traffic nor result in changes to traffic patterns or emergency vehicle access. The project would generate 8 vehicle trips during peak hours and a total of 80 trips daily.
17. The project will not require additional service systems. There are sanitary sewer, water, and storm drain mains available of adequate size to serve this project.

I. **PERSON WHO PREPARED INITIAL STUDY:**



Arlynne J. Camire, AICP Associate Planner

Dated: September 19, 2001

II. **COPY OF INITIAL STUDY IS ATTACHED**

For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4206 or (510) 583-4207, or e-mail arlynnec@ci.hayward.ca.us or timk@ci.hayward.ca.us.

DISTRIBUTION/POSTING

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



Environmental Checklist Form

1. Project title: Planned Development No. 01-120-02 & Tentative Map Tract 7262 -: Request to subdivide a 1.3± acre parcel into 8 single-family parcels and change the zoning from RS (Single-Family Residential) to PD (Planned Development) District.
2. Lead agency name and address: City of Hayward, 777 B Street, Hayward, CA 94541
3. Contact person and phone number: Arlyne J. Camire, Associate Planner (510) 583-4206
4. Project location: 25958 Gading Road, the east side of Gading Road, south of Huntwood Avenue and north of Dumont Avenues
5. Project sponsor's name and address: Noor Wais for Habitex Construction Inc., 21573 Foothill Boulevard, Hayward, CA, 94541.
6. General plan designations: Medium Density Residential
7. Zoning: RS (Single-Family Residential) District
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or offsite features necessary for its implementation. Attach additional sheets if necessary.)- Request to construct 8 single-family homes on a 1.3± acre site and approve a condominium Tract Map.
9. Surrounding land uses and setting: Briefly describe the project's surroundings: The site is within a neighborhood developed with single- and multi-family residential units and churches
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) N/A.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

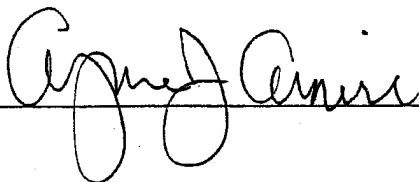
- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



September 19, 2001

Date

Arlynne J. Camire, AICP Associate Planner
Printed Name

City of Hayward

ENVIRONMENTAL ISSUES:

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

- a) Have a substantial adverse effect on a scenic vista?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The construction of a 8 single-family home development within a single- and multi-family residential neighborhood located in an area that is flat and developed with 2 and 3 story residential multi-family buildings will not adversely effect scenic vistas.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project will not damage scenic resources. The site has been developed with a single-family home within a residential neighborhood in an urban setting.

- c) Substantially degrade the existing visual character or quality of the site and its surroundings?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The site is vacant and will be developed with 8 single-family homes that are in conformance with the development standards of the City of Hayward Zoning Ordinance and Design Guidelines.

- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project will not be a new source of substantial light or glare.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project site is not within a farmland area.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located in an agricultural district or an area used for agricultural purposes.

- | | Potentially
Significant
Impact | Potentially
Significant
Unless
Mitigation
Incorporation | Less Than
Significant
Impact | No
Impact |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i>See II b.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project will not affect air quality. Properties within the City of Hayward are required to meet State air quality standards specified in the Clean Air Plan adopted by the Bay Area Quality Management District.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? <i>See III a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Any impacts to air quality will be temporary lasting during the construction phase. In addition the City requires the developer to submit a construction Best Management Practice (BMP) program prior to the issuance of any building. See III a.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose sensitive receptors to substantial pollutant concentrations? <i>See III a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Create objectionable odors affecting a substantial number of people? <i>See III a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The site is vacant is surrounded by residential development. Since the property is urban in nature, biological resources will not be adversely affected.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? <i>See IV a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? <i>See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i>See IV a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>The project is in conformance with the General Policies Plan and the Harder-Tennyson Neighborhood Plan.</i>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project is in an urban area and was once part of a property developed with a single-family home.

V. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No known historical resources exist on-site.</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No known archaeological resources exist in on-site.</i>				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>No known paleontological resources exist on-site.</i>				
d) Disturb any human remains, including those interred outside of formal cemeteries? <i>No known human remains are located on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>The project is outside the Hayward Special Studies Fault Zone.</i>				

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. <i>The project is outside the Hayward Special Studies Fault Zone.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? <i>The project is not located within a "State of California Earthquake Fault Zone and will be required to comply with the Uniform Building Code Standards to minimize seismic risk due to ground shaking.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? <i>Liquefaction and differential compaction is not considered to be a serious problem on this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Landslides? <i>The project is not located within an area subject to landslides.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? <i>The project is within an urban setting that does not include agricultural land.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? <i>Prior to issuance of any building permit, engineering and building staff will review a geologic and soils investigation report to design adequately the building foundations for the soil type for new projects. Judging from past geologic activities in the project area, the soil types have not exhibited any of the characteristics that would indicate that any of these conditions exist or are possible</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? <i>Prior to issuance of a building permit, engineering and building staff will review a soils investigation report to adequately design the building foundations for the soil type on-site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? <i>The project will be connected to the City of Hayward sewer system.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The site is located within a residential neighborhood and was once part of a parcel that had been develop with a single-family home. There is no evidence of hazardous materials.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? *See VII a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? *See VII a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? *See VII a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located within an airport zone.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? *See VIII e.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project will not interfere with any known emergency response plan or emergency evacuation plan. The Hayward Fire Department serves the neighborhood where the townhouses are to be constructed. Emergency response times will be maintained.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located in an area of wildlands and is not adjacent to wildlands.

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?
The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The site will be served by the Hayward Water District, therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Furthermore, recharge of the groundwater table will not be affected.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is not located near a stream or a river. The construction of the 8 single-family homes will not result in substantial erosion or siltation on- or off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is within an urban area and has been developed as such. Drainage patterns on the site will not cause flooding.

f) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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There will be a minimal increase in the amount of run-off from the project that will not exceed the capacity of the stormwater drainage system. See VIII a.

f) Otherwise substantially degrade water quality? See VIII a.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i>According to FEMA Flood Insurance Rate Maps, the 100-year flood hazard area is does not contained this site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i>See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <i>See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <i>The project is not in a location that would allow these phenomena to affect the site.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community? <i>The project will not physically divide the existing community.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? <i>The project is consistent with the policies of the City General Policies Plan, the General Plan Map designation of Medium Density Residential, the Zoning Ordinance and the Harder-Tennyson Neighborhood Plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? <i>See IV f.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? <i>The project will not result in a significant impact to mineral resources since the project study area is a developed urbanized area that does not contain mineral resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? <i>See X a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? <i>Exposure of persons to or generation of any new noise or noise levels in excess of standards established in the Noise Element of the Hayward General Plan or the Municipal Code, or applicable standards of other agencies will not from the 8 single-family home project All City noise standards are required to be met and maintained.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? <i>See XI a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? <i>See XI a</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? <i>See VII e.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? <i>See VII e.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>The project is within the anticipated density for the site. See IX b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <i>Eight single-family homes will replace one single-family home will be built on a vacant parcel that was once part of a parcel that was developed with a single-family home. See IX b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>See IX b and XII a & b.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection? *The project would not result in the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. Response times will not be altered. There will not be an increase in governmental costs to provide services to this site.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Police protection? *See XIII a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Schools? *The Hayward Unified School District has planned for student enrolment based on anticipated densities specified in the City of Hayward General Policies Plan. This project will not generate a number of students that cannot be served by existing facilities. In addition, school fees will be collected prior to the issuance of a building permit.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Parks? *The project will be served by the Hayward Area Recreation and Park District. A park dedication fee is required to be paid prior to the issuance of a building permit.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Other public facilities? *No other public facilities will be significantly impacted.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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XIV. RECREATION --

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? *The Hayward Area Recreation and Park District fee will be collected to assure that adequate services will be provided. See XIII a (parks).*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? *See XIV a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC -- Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The anticipated traffic impact is the addition of 8 trips during peak hours. This increase is not significant and will not have an impact.

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? *See XV a.*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project will not affect air traffic patterns.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Traffic hazardous do to design features or incompatible uses will not result from the construction of the six townhouses.

- e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The Hayward Fire Department has reviewed the project and finds the project acceptable to Hayward Fire Department requirements and standards. Current Fire Codes will be met.

- f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Adequate on-site parking will be provided. Eight-2 car garages and 4 visitor spaces will be provided.

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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The project is located walking distance from an Alameda County Transit bus route. There will not be a conflict with adopted policies, plans, or programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Wastewater treatment requirements are met by the City of Hayward therefore, all treatment requirements will continue to be met.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The City of Hayward wastewater facility has the capacity to serve the addition of 8 single-family homes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i>The existing storm drain system has the capacity to serve the 8 single-family homes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i>The East Bay Municipal Utilities District supplies water and the service to the 8 single-family homes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i>The City of Hayward operates its own wastewater facility. This facility has the capacity to accommodate the amount of wastewater that will be generated by the project.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i>Waste Management of Alameda County will dispose the solid waste. The residents will participate in a citywide recycling program. The Altamont landfill is available to the City of Hayward until 2009 and has sufficient capacity to handle the amount of solid waste generated by the project. The landfill recently received an approval that increases the capacity and adds 25 years to the life of the landfill to the year 2034.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i>The project will participate in the Waste Management of Alameda County recycling program under contract with the Oro Loma Sanitary District. Service will remain the same for this site as the entire neighborhood.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DRAFT

ORDINANCE NO. _____

mtl
11/16/01

AN ORDINANCE AMENDING THE ZONING DISTRICT
MAP OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD
MUNICIPAL CODE BY REZONING CERTAIN TERRITORY
LOCATED ON GADING ROAD PURSUANT TO ZONE
CHANGE APPLICATION NO. 01-120-02

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS
FOLLOWS:

Section 1. The Zoning District Map of Chapter 10, Article 1 of the Hayward
Municipal Code is hereby amended by rezoning the property located at 25958 Gading Road,
located south of Huntwood Avenues in the Tennyson-Harder Neighborhood, from RS (Single-
Family Residential) District to PD (Planned Development) District.

Section 2. In accordance with the provisions of section 620 of the City Charter, this
ordinance shall become effective from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of
Hayward, held the ____ day of _____, 2001, by Council Member _____.

ADOPTED at a regular meeting of the City Council of the City of Hayward
held the ____ day of _____, 2001, by the following votes of members of said City
Council.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

mae
11/16/01

Introduced by Council Member _____

RESOLUTION APPROVING TENTATIVE TRACT MAP NO. 7262 AND ZONE CHANGE APPLICATION NO. 01-120-02, CONDITIONALLY APPROVING THE PRELIMINARY DEVELOPMENT PLAN AND CERTIFYING THAT THE INITIAL STUDY AND NEGATIVE DECLARATION HAVE BEEN COMPLETED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, Zone Change Application No. 01-120-02 and Tentative Map Tract 7262 concerns a request by Abdul Mahdavi (Applicant/Owner) to subdivide a 1.3± acre parcel into 8 single-family parcels and one common area and change the zoning from RS (Single-Family Residential) to PD (Planned Development) District on Gading Road south of Huntwood Avenue in the Harder-Tennyson Neighborhood (the "Property"); and

WHEREAS, the Planning Commission considered the matter and its action thereon is on file in the office of the City Clerk and is hereby referred to for further particulars; and

WHEREAS, an initial study and a negative declaration have been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the Planning Commission held a public hearing on October 11, 2001, regarding Zone Change Application No. 01-120-02, in accordance with the procedures contained in the Hayward Zoning Ordinance, codified as Article 1, Chapter 10 of the Hayward Municipal Code, and recommended approval of the initial study, negative declaration, zone change, preliminary plan and tentative tract map.

WHEREAS, the City Council of the City of Hayward has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, certifies that the negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the negative declaration reflects the independent judgment of the City of Hayward; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD as follows:

1. The proposed project will not have a significant effect on the environment and a

negative declaration has been prepared pursuant to the California Environmental Quality Act.

2. The development is in substantial harmony with the surrounding area and conforms to the General Plan, the Harder-Tennyson Neighborhood Plan and applicable City policies by providing housing opportunities and enhancing neighborhood quality.
3. Existing and proposed streets and utilities will be adequate to serve the development.
4. The development creates a residential environment of sustained desirability and stability, that sites proposed for public facilities, such as playgrounds and parks, are adequate to serve the anticipated population and are acceptable to the public authorities having jurisdiction thereon, and the development will have no substantial adverse effect upon surrounding development.
5. The exceptions to the standard minimum front and rear yard setbacks and minimum lot size required by the Single-Family Residential District development standards are compensated for by the generous side yards and group open space area. The amount of gross area to be enjoyed by each of the 8 proposed dwellings is 7,085.5 square feet. The individual lots would range in size from 4,350 square feet to 5,700 square feet, had the lot lines been extended in the traditional fashion to include front and side yards.
6. The tentative parcel map substantially conforms to the State Subdivision Map Act, the City's Subdivision Regulations, the General Policies Plan, and the City of Hayward Zoning Ordinance.
7. The site is relatively flat, with stable soils and safe access and is therefore physically suitable for the proposed type of development.
8. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as the site is currently within an urban area that is not near fish or wildlife or their habitat.
9. The design of the subdivision and the proposed improvements are not likely to cause serious health problems as there are not hazardous materials on the site and the proposed project is residential and will not generate any harmful substances.
10. None of the finding set forth in Section 64474 of the Subdivision Map Act have been made.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD that, based on the findings noted above, that the preliminary development plan and Tentative Map Tract No. 7262 are hereby conditionally approved, subject to the conditions of approval contained in Exhibit A attached hereto and incorporated as a part of this resolution, and adoption of the companion ordinance reclassifying the Property from a RS (Single-Family Residential) District to a PD (Planned Development) District.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward